

CITY COUNCIL REPORT



Meeting Date: October 22, 2013
Charter Provision: *Provide for the orderly government and administration of the affairs of the City*
Objective: *Enact local legislation*

ACTION

2014 Primary and General Elections. Adopt Resolution No. 9547, calling the City of Scottsdale's Primary Election for Tuesday, August 26, 2014, and General Election, if necessary, for Tuesday, November 4, 2014, for the purpose of electing three Councilmembers.

BACKGROUND

The City Charter calls for Scottsdale's primary elections and general elections to be held in even numbered years on the first calendar dates authorized by state law. In the event that no more than two candidates file nominating petitions for each vacancy in office, the City Charter allows the primary election to be dispensed with as to that office.

The adoption of Resolution No. 9547 begins the 2014 candidate election process for the City of Scottsdale and serves to publicize the elections to the electors and the media.

At the Primary Election, any candidate who receives a majority of all the legal votes cast in that candidate's race shall be declared elected. In the event that elected offices are not filled at the August 26, 2014 Primary Election, a General Election will be held on November 4, 2014 to fill such vacancies.

If there are no more than two candidates who file nominating petitions for each vacancy in office, Resolution No. 9547 authorizes the City Clerk to take all necessary actions to dispense with the Primary Election for that office, including:

- (1) Notifying the Council in writing within 24 hours of making such determination. Within 48 hours of receiving such written notice, the Mayor or four members of the Council may call a Special Meeting of the Council to vote on whether to dispense with the Primary Election; otherwise, the Primary Election shall be deemed cancelled.
- (2) Publishing, in a newspaper of general circulation, a notice to advise the public that the Primary Election has been dispensed with as to that office.

In the event that the Primary Election is cancelled, the candidates who filed nominating petitions for that office will advance to the General Election ballot.

The Maricopa County Elections Department is statutorily required to provide voter registration and other election services. Maricopa County may consolidate Scottsdale's August 26, 2014, Primary Election and November 4, 2014, General Election with any other election conducted in the City on those dates. Further, while it is highly unlikely for the 2014 elections, if Maricopa County determines that it is in the best interests of the voters to conduct the consolidated election(s) by mail, the procedures for conducting the election(s) by mail shall be as outlined in Section 8, Conduct of Election, of Resolution No. 9547. In the event that Maricopa County determines that the consolidated election(s) shall be conducted by mail, the City Clerk will notify the Council in writing and take all steps deemed necessary in the City Clerk's discretion to advise the public of the mail ballot election, including publishing a notice in a newspaper of general circulation.

RESOURCE IMPACTS

Approximately \$350,000 will be included in the proposed FY2014/2015 Election Budget to cover the cost of the 2014 Primary and General elections. The charge by Maricopa County Elections for conducting the elections is estimated to be \$0.50 per registered voter. The actual cost of the election(s) will depend upon the number of registered voters at the close of voter registration. There are currently 147,310 registered voters in Scottsdale; and 97,330 of the Scottsdale registered voters are on the permanent early voting list.

Maricopa County Elections does not prepare, publish, or mail Candidate or Publicity pamphlets. The additional costs for printing the pamphlets, postage, translation costs, and other miscellaneous costs are included in the \$350,000 estimated election costs.

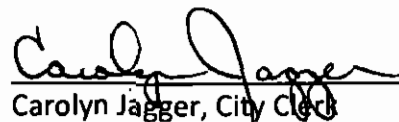
RESPONSIBLE DEPARTMENT(S)

Office of the City Clerk

STAFF CONTACT(S)

Carolyn Jagger, City Clerk, cjagger@scottsdaleaz.gov

APPROVED BY



Carolyn Jagger, City Clerk
(480) 312-2411, cjagger@scottsdaleaz.gov

Date

10-4-13

ATTACHMENTS

1. Resolution No. 9547

RESOLUTION NO. 9547

A RESOLUTION OF THE COUNCIL OF THE CITY OF SCOTTSDALE, ARIZONA, CALLING A PRIMARY ELECTION FOR TUESDAY, AUGUST 26, 2014 AND, IF NECESSARY, A GENERAL ELECTION FOR TUESDAY, NOVEMBER 4, 2014; AND DESIGNATING OR PROVIDING FOR ELECTION DATES, LOCATION AND FIRST AND LAST DATES FOR CANDIDATES TO FILE NOMINATION PAPERS, CANDIDATE INFORMATION PAMPHLETS, SPANISH TRANSLATION OF ELECTION MATERIALS, VOTER REGISTRATION DEADLINES, EARLY VOTING, SAMPLES BALLOTS, VOTING SYSTEM, AND THE MANNER IN WHICH THE CITY CLERK SHALL CONDUCT THE ELECTION.

BE IT RESOLVED by the Council of the City of Scottsdale as follows:

Section 1. Municipal election dates; purpose.

The Primary Election ("Primary Election") in the City of Scottsdale shall be held on Tuesday, August 26, 2014, for purpose of electing three Councilmembers, and to determine whether a General Election ("General Election") shall be held on Tuesday, November 4, 2014, to fill any elected offices that remain unfilled after the Primary Election.

Section 2. Publication of the call and notice of election.

The publication of the call and notice of the Primary Election and General Election shall be given, or caused to be given, by the City Clerk, as provided by law, and as may be deemed necessary and appropriate in the City Clerk's discretion to advise the public of the elections.

Section 3. Voter registration deadlines, early voting, and sample ballots.

A voter in this election must be a qualified elector of the City of Scottsdale. A qualified elector of the City is defined as a person who is registered to vote and whose name appears on the Maricopa County voter register rolls within the boundaries of the City of Scottsdale twenty-nine (29) days prior to the date of election.

Maricopa County registration and voting lists will be used for the Primary Election and the General Election. To be qualified to vote, a resident must be registered to vote by Monday, July 28, 2014, for the Primary Election, and by Monday, October 6, 2014, for the General Election.

Early voting will be permitted in accordance with the provisions of Title 16, Chapter 4, Article 8, Arizona Revised Statutes, as amended. Applications for early ballots for the Primary Election and the General Election will be available to qualified City electors beginning Sunday, May 25, 2014. Voters requesting an early ballot for the Primary Election also will be mailed a ballot for the General Election.

Sample ballots will be available at the Scottsdale City Clerk's Office, 3939 N. Drinkwater Blvd., Scottsdale, on Thursday, July, 31, 2014, for the August 26, 2014 Primary Election, and on Thursday, October 9, 2014, for the November 4, 2014, General Election.

Section 4. Date and place to file candidate nomination forms.

Candidates seeking municipal office may obtain nomination papers, and other materials that must be filed by candidates, at the Scottsdale City Clerk's Office, City Hall, 3939 N. Drinkwater Boulevard, Scottsdale, Arizona 85251.

Candidates must file nomination papers and other nomination forms by 5:00 p.m. on Wednesday, May 28, 2014, at the Scottsdale City Clerk's Office for their names to appear on the Primary Election ballot. The earliest date for filing nomination papers is Monday, April 28, 2014.

Write-in candidates are not required to file nominating petitions, but must file all other nomination forms by 5:00 p.m. on Thursday, July 17, 2014.

Section 5. Candidate information pamphlet(s).

Any candidate who has filed the documents required by law to have his or her name printed on the Primary Election ballot may file a statement to be printed in the 2014 Election Candidate Information Pamphlet(s). Each statement must be filed in accordance with the guidelines established by the City Council and attached as part of this resolution (Exhibit A).

Section 6. Publicity pamphlet (if required).

Pursuant to A.R.S. § 19-141, the City Clerk shall, if applicable and required by law, cause a publicity pamphlet to be printed and mailed in time to be delivered to every registered voter household before the earliest date that any requested early ballots can be received.

Arguments supporting or opposing the ballot measure(s) to be published in the publicity pamphlet shall be filed with the City Clerk not less than ninety (90) days before the election, which is Wednesday May 28, 2014, for the Primary Election, and Wednesday, August 6, 2014, for the General Election.

Each argument shall not exceed 300 words in length and shall contain the original, notarized signature of each person sponsoring it. If the argument is sponsored by an organization, the original, notarized signatures of two executive officers are required. If the argument is sponsored by a political committee, the original, notarized signature of the committee's chair or treasurer is required. Persons signing shall also identify themselves by giving their residence or post office address and a telephone number, which shall not appear in the pamphlet. With each argument supporting or opposing the proposition, one hundred dollars (\$100.00) shall be deposited with the City Clerk for a proportionate cost of paper and printing the argument.

Section 7. Spanish translation.

To comply with the Voting Rights Act of 1965, as amended, the proceedings pertaining to these elections, such as this call of election, the notice of election, ballots, early voting materials, and voting instructions, will be translated into Spanish and posted, published, and recorded in each instance where posting, publication, and recording for such proceedings are required.

Section 8. Conduct of election.

The election(s) shall be conducted and the poll lists kept, and the votes cast thereat shall be counted and tabulated, and the returns thereof shall be made in the manner provided by law. Only persons who are qualified electors of the City shall vote at the City of Scottsdale August 26, 2014, Primary Election and November 4, 2014, General Election.

The City Clerk is hereby authorized to determine the manner in which the election(s) shall be conducted and to sign Maricopa County's Menu of Services agreement for the conduct of the August 26, 2014, Primary Election and the November 4, 2014, General Election.

The August 26, 2014, Primary Election and the November 4, 2014, General Election may be consolidated with any other election conducted in the City on those dates. If Maricopa County determines that the consolidated election(s) shall be conducted by mail, the procedures for conducting the election(s) shall be as follows:

1. No polling places will be provided if the election is conducted as a mail ballot election.
2. Voters may return voted mail ballots, sealed within the signed affidavit envelope, to Maricopa County via U.S. Mail. Return ballot envelopes will be coded with a special Postal Code so that postal officials know to handle the voted ballots with extreme care and promptness and not to leave them unsecured.
3. If a voter knows that he or she will be out of the City during the election period, the voter may notify the Maricopa County Elections Department in writing to request to have his or her mail ballot sent to a different address. This request must include the voter's name, residence address, mail-to address, date of birth, title of the election for which the request is being made, and the voter's signature.
4. For the Primary Election:
 - a. The Maricopa County Elections Department will mail a ballot to every registered voter in the City of Scottsdale on Thursday, July 31, 2014, twenty-six (26) days prior to the August 26, 2014, Primary Election.
 - b. Voters who have not declared a party affiliation (unaffiliated/undeclared voters) must select a party ballot or City only ballot for the Primary Election. Maricopa County will mail two reminders to voters that unaffiliated/undeclared voters are required to select a ballot. Unaffiliated/undeclared voters who do not respond with a preference will not be mailed a ballot.
 - c. Voters may hand deliver voted mail ballots, sealed within the signed affidavit envelope, to the Maricopa County Elections Department Office, 510 S. Third Avenue, Phoenix, Arizona, or to the Scottsdale City Hall Elections Office, 3939 N. Drinkwater Blvd., Scottsdale, Arizona, during regular business hours, Monday through Friday, July 31 through August 25, 2014, or during the hours of 6:00 a.m. to 7:00 p.m. on Election Day (August 26, 2014).
 - d. Voters may also hand deliver their voted mail ballots, sealed within the signed affidavit envelope, to any Maricopa County polling site during the hours of 6:00 a.m. to 7:00 p.m. on Election Day (August 26, 2014).
 - e. Ballots must be returned to the Maricopa County Elections Department by 7:00 p.m. on August 26, 2014, to be counted.
 - f. If a voter misplaces his or her ballot, does not receive a ballot, or spoils the ballot in any way, a voter may go to the Maricopa County Elections Department, 510 S. Third Avenue, Phoenix, Arizona, or to the Scottsdale City Hall Elections Office, 3939 N. Drinkwater Blvd., Scottsdale, Arizona, during regular business hours, Monday through Friday, July 31 through August 25,

2014, or during the hours of 6:00 a.m. to 7:00 p.m. on Election Day (August 26, 2014), to vote a replacement ballot.

5. For the General Election:

- a. The Maricopa County Elections Department will mail a ballot to every registered voter in the City of Scottsdale on Thursday, October 9, 2014, twenty-six (26) days prior to the November 4, 2014, General Election.
- b. Voters may hand deliver voted mail ballots, sealed within the signed affidavit envelope, to the Maricopa County Elections Department Office, 510 S. Third Avenue, Phoenix, Arizona, or the Scottsdale City Hall Elections Office, 3939 N. Drinkwater Blvd., Scottsdale, Arizona, during regular business hours, Monday through Friday, October 9 through November 3, 2014, or during the hours of 6:00 a.m. to 7:00 p.m. on Election Day (November 4, 2014).
- c. Voters may also hand deliver their voted mail ballots, sealed within the signed affidavit envelope, to any Maricopa County polling site during the hours of 6:00 a.m. to 7:00 p.m. on Election Day (November 4, 2014).
- d. Ballots must be returned to the Maricopa County Elections Department by 7:00 p.m. on November 4, 2014, to be counted.
- e. If a voter misplaces his or her ballot, does not receive a ballot, or spoils the ballot in any way, a voter may go to the Maricopa County Elections Department, 510 S. Third Avenue, Phoenix, Arizona, or the Scottsdale City Hall Elections Office, 3939 N. Drinkwater Blvd., Scottsdale, Arizona, during regular business hours, Monday through Friday, October 9 through November 3, 2014, or during the hours of 6:00 a.m. to 7:00 p.m. on Election Day (November 4, 2014), to vote a replacement ballot.

In the event that Maricopa County determines that the consolidated election(s) shall be conducted by mail, the City Clerk will notify the Council in writing and take all steps deemed necessary in the City Clerk's discretion to advise the public of the mail ballot election, including publishing a notice in a newspaper of general circulation.

Section 9. Process for dispensing with the Primary Election (if necessary).

Pursuant to Article 9, Section 1, of the City Charter, in the event that no more than two candidates file nominating petitions for each vacancy in office, the City Clerk is hereby authorized to take all necessary actions to dispense with the Primary Election as to that office.

In the event the City Clerk makes a determination that it is necessary to dispense with the August 26, 2014, Primary Election for the office of Councilmember, the Clerk shall:

1. Notify the Council in writing within 24 hours of making such determination. Within 48 hours of receiving such written notice, the Mayor or four members of the Council may call a Special Meeting of the Council to vote on whether to dispense with the Primary Election; otherwise, the Primary Election shall be deemed cancelled; and
2. Publish, in a newspaper of general circulation, a notice to advise the public that the Primary Election has been dispensed with as to that office.

Section 10. Establishing polling places.

Unless Maricopa County determines that the consolidated election(s) shall be conducted by mail, the polling places used in the City of Scottsdale will be the polling places established by Maricopa County and used for conducting previous elections in the City of Scottsdale, if available.

Section 11. Hours of the polling places.

Unless Maricopa County determines that the consolidated election(s) shall be conducted by mail, the polls will be open from 6:00 a.m. until 7:00 p.m. on Election Day.

Section 12. Appointment of election boards.

The election board workers for the Primary Election and the General Election shall be appointed, or authorized to be appointed, by the City Clerk as may be deemed necessary and appropriate in the City Clerk's discretion to insure all polling places are fully staffed as required by law.

Section 13. Voting system.

Voting shall be by the Insight Optech Optical Scan System in use by Maricopa County Elections Department for the recordation of the electors' choices as authorized by Arizona Revised Statutes and pre-cleared by the United States Department of Justice.

Section 14. Canvass of Election.

The returns of the Primary Election and the General Election shall be made to the City Council, which shall meet not less than six (6) days nor more than twenty (20) days following the election to canvass the returns and certify the results, all as provided by law. If, at the time of the date set for the Council meeting, the returns from any polling place are found to be missing, the City Clerk is authorized to postpone the meeting from day to day until all the returns are received, or until six postponements have been made.

PASSED AND ADOPTED by the Council of the City of Scottsdale, Arizona, this 22nd day of October, 2013.

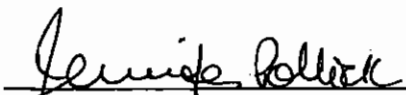
CITY OF SCOTTSDALE,
a municipal corporation

W.J. "Jim" Lane, Mayor

ATTEST:

Carolyn Jagger, City Clerk

APPROVED AS TO FORM:



Bruce Washburn, City Attorney
By: Jennifer Pollock
Assistant City Attorney

CITY OF SCOTTSDALE
2014 ELECTIONS
CANDIDATE INFORMATION PAMPHLET
GUIDELINES FOR FILING CANDIDATE STATEMENTS

WHO MAY FILE A STATEMENT

Any candidate who has filed the documents required by law to have his or her name printed on the 2014 Primary Election ballot may file a statement to be printed in the Candidate Information Pamphlet for that election. In the event that a General Election is necessary, any candidate who is eligible to have his or her name printed on the General Election ballot may file a statement for inclusion in the Candidate Information Pamphlet for that election.

DEADLINE FOR SUBMITTING STATEMENTS

For the Primary Election, the candidate, or candidate's representative, must file the statement with the City Clerk no later than 5:00 p.m., Wednesday, May 28, 2014, the last day for filing documents required to become a candidate.

The deadline for filing is consistent with ARS § 19-141 (B) and (C), which requires information for inclusion in publicity pamphlets to be filed not less than 90 days before the election, so that information pamphlets may be mailed before the earliest date that a registered voter can receive an early ballot for that election.

In the event that a General Election is necessary, the candidate, or candidate's representative, must file the statement with the City Clerk no later than 5:00 p.m., Friday, August 29, 2014.

FORM OF STATEMENT

Statements shall be limited to 300 words and will not be edited by the City Clerk's Office. The 300-word limit is in addition to brief biographical information: name, age, occupation, and education.

A 2" x 2" black and white photo of the candidate will be printed if presented at the same time as the statement. If no photo is submitted, or is untimely submitted, only the biographical information and 300-word statement will be printed. An empty box will appear where the picture would have been.

If no statement is received from a qualified candidate, a statement will be placed in the pamphlet to the effect that, ***"No statement was received from this candidate by the deadline for filing statements."***

FORMAT

The format that was used for the candidate information pamphlets for the 2002 through 2012 elections will be used for the 2014 election pamphlets. A legal disclaimer will be printed in the pamphlet indicating: ***"The statements in this candidate pamphlet were reproduced as submitted and were not edited for spelling, grammar, or punctuation. These statements represent the opinions of the candidates and have not been checked for accuracy of content."*** The Candidate Information Pamphlet has been precleared by the United States Department of Justice for all City of Scottsdale candidate elections.

ORDER OF PLACEMENT IN THE PAMPHLET

To determine the order of placement of the statements in the pamphlet, the name of each candidate shall be written on a piece of paper and placed in a container. An impartial person shall draw the names and the statements shall be placed in the pamphlet in the order that the names were drawn. This drawing of names shall be done in public and all candidates will be given prior notification of the time and place for the drawing.

CONSISTENCY FOR EFFICIENT PREPARATION

The following rules apply to the preparation of statements that are submitted for inclusion in the 2014 Election Candidate Information Pamphlet.

- Statements must be typed or printed, and signed by the candidate. While not required, in addition to a signed, hard copy of the candidate statement, candidates are encouraged to submit statements in electronic format (CD, DVD, floppy disk, or via an e-mail addressed to: cjagger@scottsdaleaz.gov).
- Statements must be provided in English.
- For the Primary Election, the candidate, or the candidate's representative, must file the statement with the City Clerk no later than 5:00 p.m., Wednesday, May 28, 2014, the deadline for filing the required documents for becoming a candidate.
- If a General Election is held, the candidate or the candidate's representative must file the statement with the City Clerk no later than 5:00 p.m., Friday, August 29, 2014.

The City Clerk will determine a uniform type size, font, style, and format for the statements and will have each statement typeset in conformance with this format.

The City Clerk will have all statements translated into Spanish as required by the Voters' Right Act and will print both English and Spanish versions of the pamphlet. The City Clerk will delete any words in excess of the 300-word allowance from the end of the statement.

The City Clerk will not edit the content of the statements, other than the deletion of words in excess of 300.

The statements will not be released for public review until after the filing deadline. A candidate may withdraw or amend a statement, or provide a substitute statement, at any time before the filing deadline.